

REMARKS

The office action of May 17, 2005, has been carefully considered.

It is noted that claims 1-3, 12 and 13 are rejected under 35 U.S.C. 102(e) over the patent to Shull et al.

Claim 6 is rejected under 35 U.S.C. 103(a) over Shull et al in view of the patent to Burreson et al.

Finally, claims 4, 5 and 7-11 would be allowable if rewritten in independent form.

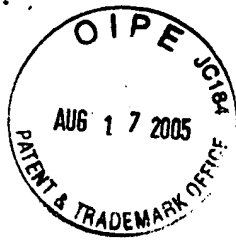
It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent to Shull et al., it can be seen that this patent discloses an anti-lock braking system with accumulator volume monitoring. The system has two Hall sensors spaced from one another in the movement direction of a piston. Shull et al. do not disclose a

coil to which a current can be applied and whose magnetic field permits switching points of the Hall sensors to be adjusted in response to the coil current, as in the presently claimed invention. Shull et al. only teach a ring magnet with an outer magnetic north pole 39 and an inner magnetic south pole 29.

In view of these considerations, it is respectfully submitted that the rejection of claims 1-3, 12 and 13 under 35 U.S.C. §102(e) over the above discussed reference is overcome and should be withdrawn.

The patent to Burreson et al. has also been considered. This reference teaches a position indicating system. The Examiner combined Burreson et al. with Shull et al. in determining that claim 6 would be unpatentable over such a combination. Applicant respectfully submits that the combination of these references does not teach the features recited in independent claim 1. Specifically, the combination does not teach a position measuring device having a Hall sensor array with a coil to which a current can be applied and whose magnetic field permits switching points of the Hall sensors to be adjusted in response to the coil current, as in the presently claimed invention.



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In view of these considerations, it is respectfully submitted that the rejection of claim 6 under 35 U.S.C. §103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on August 15, 2005.

By:

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Date: August 15, 2005